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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,163	06/22/2000	David M. Oliver	005-905-330	7578
20433	7590	11/26/2003	EXAMINER	
BLODGETT BLODGETT 43 HIGHLAND STREET WORCESTER, MA 016092797			NGUYEN, NGA B	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 11/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/599,163

Applicant(s)

OLIVER ET AL.

Examiner

Nga B. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 June 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 35-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is the answer to the Preliminary Amendment filed on June 22, 2000, which paper has been placed of record in the file.
2. Claims 1-34 has been canceled. Claims 35-41 are pending in this application.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on June 22, 2000 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teper et al (hereinafter Teper), U.S. Patent No. 5,815,665, in view of Reeder, U.S. Patent No. 5,852,812.

Regarding to claim 35, Teper discloses a system for managing user accounts and controlling anonymous access to resources over data networks for a plurality of provider members in a manner to preserve the secrecy of the identity of a user who is in a home provider's user/customer base, the system comprising:

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a means for sharing non-identifying user information and charges among a plurality of service provider members comprising a home provider and an outside provider (column 5, lines 49-55, sharing user-specified customization information (non-identifying user information) between Online Broker and Service provider; column 6, lines 45-49, charging among plurality of Service Provider; column 6, lines 13-20, Service provider register with the Online Broker to become a member of Online Broker, "home provider" is equivalent to Online Broker, "outside provider" is equivalent to Service Provider);

a means for enabling a user who is registered as a customer with the home provider to anonymously access the resources of the outside provider (column 5, lines 15-38, the user registers with Online Broker as a customer and allowed anonymously access to the Service Provider);

a settling means adapted to allow the system to settle accounts among service providers by charging the home provider for access by its user to the resources of the outside provider (column 5, lines 38-44, billing system allows Online Broker to generate a centralized bill for each user);

a sharing means adapted to allow the system to permit the home provider to enable access by the user to the resources of the outside provider without requiring either personal identification or an open account from the user at the outside provider (column 6, lines 38-67, the user access Service Provider without transmitting payment and other personal information), and

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a verification means separate from the home provider adapted to allow the outside provider to determine the user's access privileges and criteria (column 8, lines 26-34, Service Provider includes brokering server for implementing the passthrough authentication protocol).

Teper does not disclose a payment means adapted to assure that the outside provider is then paid for access through the system. However, Teper discloses Online Broker handles the billing matters, settles accounts billed by the Service Providers to the user (column 4, lines 47-52, column 5, lines 38-41). Moreover, Reeder discloses a payment means adapted to assure that the outside provider is then paid for access through the system (column 6, lines 9-18, the host data center (Online Broker) pays royalties to the content provider (Service Provider) through a check or electronic payment means). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine Reeder's payment function with Teper's for the purpose of ensuring that the Service Providers is paid for the services they provided to the user.

Regarding to claim 36, Teper discloses verification means comprises a token and authentication server (column 16, lines 30-40, Service Provider is assigned tokens; column 8, lines 26-34, Service Provider includes brokering server for implementing the passthrough authentication protocol).

Regarding to claims 37, 38, Teper discloses verification means does not have access to personal identification information of user (column 6, lines 38-40, Service Provider does not receive payment or other personal information of the user).

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Regarding to claim 39, Teper discloses a plurality of provider members of the system may aggregate, transfer, and share data about the users of the system (column 8, line 64-column 9, line 23), in a standardized form which identifies each user by a unique alpha-numeric sequence (column 6, lines 13-20, column 8, lines 54-60, Service Provider registers with the Online Broker to obtain a password), but wherein personal identifying attributes of the client do not need to be known to any provider member except the member responsible for enrolling the user (column 6, lines 38-40, Service Provider does not know payment or other personal information of the user, only the Online Broker knows such that information).

Regarding to claim 40, Teper discloses to handle a potential user, wherein a verification server separate from provider members is adapted to allow a member to verify that a potential user is a client of the system/a customer of a member provider, but wherein the server does not have access to the personal identity of potential user (column 8, lines 26-34, Service Provider includes brokering server for implementing the passthrough authentication protocol; column 6, lines 38-40, Service Provider does not receive payment or other personal information of the user).

Regarding to claim 41, Teper discloses means for enabling a user who is registered as a customer with the home provider to anonymously access the resources of the outside provider, the means allowing the appearance that the resources are accessed directly from the home provider (column 8, lines 60-63, Online Broker stores and provides the user access to directory service of Service Provider).

***Conclusion***

6. Claims 35-41 are rejected.
7. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Ferguson et al (US 5,819,092) discloses online service development tool with fee setting capabilities.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

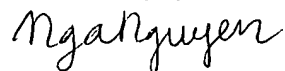
or

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(703) 308-3691 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



November 17, 2003